

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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| 8 | RICHIE JARRELL, individually, |) | |
| 9 | |) | NO. CV-10-5002-LRS |
| 10 | Plaintiff, |) | |
| 11 | |) | ORDER DENYING MOTION FOR |
| 12 | -vs- |) | PROTECTIVE ORDER |
| 13 | |) | |
| 14 | WILLIAMS INDUSTRIAL SERVICES |) | |
| 15 | GROUP LLC, a Georgia business |) | |
| 16 | entity; and WILLIAMS PLANT |) | |
| 17 | SERVICES LLC, a Georgia business |) | |
| 18 | entity, |) | |
| 19 | |) | |
| 20 | Defendants. |) | |
| 21 | |) | |

An expedited telephonic conference was held in the above-entitled matter on November 23, 2010 at the request of the parties to resolve Defendants' pending Motion for Protective Order. Bryce P. McPartland participated on behalf of Plaintiff; Sean O'Quinn and Robert Schultz participated on behalf of Defendants. The Court having reviewed the documents in the file and considered the arguments of counsel, now enters the following Order to memorialize and supplement the oral rulings made by the Court at the telephonic conference.

IT IS ORDERED:

1. Defendants Williams' Motion for Protective Order, **Ct. Rec. 20**, is **DENIED**, for the reasons stated during the expedited hearing on Defendants' motion. The Court's action in precluding further delay in

1 deposing Plaintiff is based on Plaintiff's current health as opined by
2 two of his physicians, the possibility that Plaintiff may be unable to
3 testify at trial, the time this matter (dispute concerning location and
4 time for a perpetuation deposition of Plaintiff) has been pending without
5 agreement among the parties, and a careful balancing of the respective
6 hardships incurred by each of the parties.

7 2. Defendant Energy Northwest's Joinder in Motion for Protective
8 Order, **Ct. Rec. 27**, is **GRANTED**.

9 3. Plaintiff shall provide to Defendants all medical documentation
10 and lab test information concerning Plaintiff's cirrhosis as soon as the
11 same becomes available.

12 4. Defendants' request for reimbursement of expenses associated
13 with the costs of the December 17, 2010 deposition of Plaintiff is
14 **DENIED**.

15 5. Counsel for all parties are urged to cooperate to the fullest
16 extent possible.

17 The District Court Executive is directed to file this Order and
18 provide copies to counsel.

19 **DATED** this 24th day of November, 2010.

20
21 s/ Lonny R. Suko

22 LONNY R. SUKO
23 CHIEF UNITED STATES DISTRICT JUDGE
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